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UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION/TRADEMARK	FILING/RECEIPT DATE	FIRST-NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/823,744 03/25/97 SALESKY

J 17648-2

0212/0902

TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER 8TH FLOOR  
SAN FRANCISCO CA 94111-3834

NOT ASSIGNED

DATE MAILED: 09/02/98

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53(f) or (g)**  
**(Filing Date Granted)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on Aug. 15, 1997.

- ☒ No reply was received.  
☐ The reply received on \_\_\_\_\_ was untimely.  
☐ The reply received on \_\_\_\_\_ was improper. The reply did not include:

- ☐ 1. The surcharge under 37 CFR 1.16(e) required for filing the basic filing fee or oath or declaration on a date later than the filing date of a nonprovisional application.  
☐ 2. The surcharge under 37 CFR 1.16(i) required for filing the basic filing fee or cover sheet on a date later than the filing date of a provisional application.  
☐ 3. The full amount of the basic filing fee under 37 CFR 1.16(a), (f), (g), (k).  
*(Note: A nonprovisional application may not be relied on for benefits under 35 U.S.C. 120 and 37 CFR 1.78 unless the processing and retention fee set forth in 37 CFR 1.21(l) is paid within the one year period set forth in 37 CFR 1.53(f). A provisional application may not be relied on for benefits under 35 U.S.C. 119(e) and 37 CFR 1.78 unless the basic filing fee is paid.)*  
☐ 4. The oath or declaration of all the inventors required under 37 CFR 1.63 for this nonprovisional application.

- ☒ The letter of Express Abandonment filed on \_\_\_\_\_ is acknowledged; however, the application is abandoned for failure to timely or properly reply to the Notice as indicated above.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

C. Barnes

Customer Service Center  
Initial Patent Examination Division (703) 308-1202